

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 25

Appendix F
GPCI - P10-071
09/016, 869

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MAILED

ALEXANDER KAMB

JUN 28 2000

Junior Party,
(Application 08/481,063),

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

v.

DAVID H. BEACH, DOUGLAS J. DEMETRICK,
MANUEL SERRANO and GREGORY J. HANNON

and

DAVID H. BEACH, DOUGLAS J. DEMETRICK, MANUEL SERRANO,
GREGORY J. HANNON, DAWN E. QUELLE and CHARLES J. SHERR

Senior Party
(Patents 5,889,169 and 5,962,316).

Patent Interference No. 104,470

Before: McKELVEY, Senior Administrative Patent Judge, and
SCHAFFER and LEE, Administrative Patent Judges.

PER CURIAM.

JUDGMENT PURSUANT TO 37 CFR § 1.662

Upon consideration of the REQUEST FOR ENTRY OF ADVERSE
JUDGMENT AS PART OF SETTLEMENT OF INTERFERENCE (Paper 24), filed
by Kamb, it is

ORDERED that judgment on priority as to Count 1, the
sole count in the interference, is awarded against junior party
ALEXANDER KAMB.

FURTHER ORDERED that junior ALEXANDER KAMB is not entitled to a patent containing claims 1, 5, 8, 11-15 and 23-30 (corresponding to Count 1) of application 08/481,063, filed 7 June 1995.

FURTHER ORDERED that any settlement agreement shall be promptly filed in accordance with 35 U.S.C. § 135(c) and 37 CFR § 1.661.

mck
FRED E. MCKELVEY, Senior
Administrative Patent Judge
Richard E. Schaffer
RICHARD E. SCHAFER
Administrative Patent Judge
Jameson Lee
JAMESON LEE
Administrative Patent Judge

BOARD OF PATENT
APPEALS AND
INTERFERENCES

104,470

cc (via First Class Mail):

Attorneys for Kamb
(real party in interest Myriad Genetics, Inc.):

Bart G. Newland, Esq.
Joseph A. Hynds, Esq.
ROTHWELL, FIGG, ERNST & KURZ
Columbia Square
Suite 701, East Tower
555 13th Street, N.W.
Washington, D.C. 20004

Attorneys for Beach
(real party in interest Cold Spring Harbor Laboratory):

R. Danny Huntington, Esq.
Donna M. Meuth, Esq.
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, VA 22313-1404

Attorneys for non-party Carson (Paper 2)
(real party in interest The Regents
of the University of California):

Edward J. Keeling, Esq.
Kevin L. Bastian, Esq.
TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834